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Amy Yost  
Amy Yost  
Date of Signature 10/7/2005

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Dace et al.

Group Art Unit: 1639

Serial No.: 09/879,279

Examiner: Epperson, Jon D.

Filed: June 12, 2001

Docket No.: 1392/18/2

Confirmation No.: 3524

For: IN VITRO CAPTURE OF NUCLEIC ACIDS VIA MODIFIED  
OLIGONUCLEOTIDES AND MAGNETIC BEADS

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DECLARATION PURSUANT TO 37 C.F.R. § 1.131

Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. We, Gayle Dace and William Kimmerly, are the co-inventors of the invention disclosed and claimed in the subject above-captioned U.S. Patent Application Serial No. 09/879,279.
2. We have had the opportunity to review the Official Action mailed April 7, 2005 from the U.S. Patent and Trademark Office for the above-referenced U.S. patent application.
3. We have also reviewed the following document cited by the United States Patent and Trademark Office in the Official Action mailed on July 13, 2004: